

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and light of the following discussion is respectfully requested.

Claims 1 and 7 are pending in this application. By this amendment, Claims 1 and 7 have been amended; and Claims 2-6 and 8-17 have been canceled. The amendments to independent Claims 1 and 7 are supported, by way of non-limiting example, in canceled Claims 15 and 16. Other amendments are formal in nature. Accordingly, it is respectfully submitted that no new matter has been added.

In the outstanding Office Action, Claims 7, 11, 13 and 17 were objected to; Claim 1 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement; Claims 1-17 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite; Claims 1-4, 6-10, 12-14 and 17 were rejected under 35 U.S.C. § 103 as being unpatentable over Kim et al. (U.S. 20004/0114495 A1, hereinafter “Kim”) in view of Hashimoto (U.S. 2005/0174504 A1) and Claims 5 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kim in view of Hashimoto, and further in view of Kanaya et al. (U.S. 2006/0077784 A1, hereinafter “Kanaya”). Claims 15 and 16 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Applicant acknowledges with appreciation the indication that Claims 15 and 16 include allowable subject matter. Accordingly, the allowable subject matter of Claims 15 and 16 has been incorporated into Claims 1 and 7 respectively from which they depend. Accordingly, it is respectfully submitted that Claims 1 and 7 as amended are patentable over the cited references.

Responsive to the objection to Claim 17, “means” in line 5 has been changed to -- device--. Accordingly, it is respectfully requested that this objection be reconsidered and withdrawn.

Responsive to the rejection of Claim 1 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement, the preamble of Claim 1 has been amended to now recite “an optical pick-up device and disk drive apparatus comprising...” Accordingly, it is respectfully submitted that, because a disk drive apparatus includes a control circuit, this rejection has been overcome.

Responsive to the rejections of Claims 1 and 7 under 35 U.S.C. § 112, second paragraph, as being indefinite, amendments have been made to the claims to clarify the recitations thereof. Claims 1 and 7 have been amended to now recite --an object lens drive unit... serves to drive the bobbin...--. In Claims 1 and 7 recitations of “a circular arc form” have been amended to now recite --a circular direction--. Finally, “a substantially radial direction of the optical disk” has been amended to now recite --one substantially radial direction of the optical disk--. For consistency subsequent recitations in Claims 1 and 7 of “the radial direction” have been amended to now recite --the one substantially radial direction --.

In addition, lines 2-6 of Claim 7 have been amended to now recite:

a disk rotational operation device for rotationally driving an optical disc; and

an optical pick-up device configured to scan, by light beams, a signal recording surface of an optical disc driven by the disc rotational operation device to record or reproduce information.

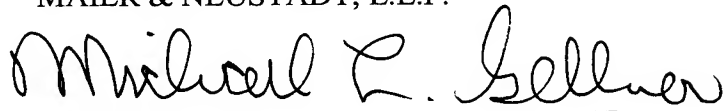
In view of the above Claim 7 no longer recites “performing rotational operations” “operations” and “operated by”.

In view of the above, it is respectfully submitted that Claims 1 and 7 as amended are definite. Accordingly, it is respectfully requested that these rejections be reconsidered and withdrawn.

In light of the above, it is respectfully submitted that Claims 1 and 7 are in condition for allowance, which action is respectfully solicited.

Respectfully submitted,

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A handwritten signature in black ink, reading "Michael L. Gellner". The signature is written in a cursive style and is positioned above a horizontal line.

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